

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Robert G. Taub, Chairman;
Tony Hammond, Vice Chairman;
Mark Acton; and
Nanci E. Langley

Competitive Product Prices
Priority Mail Contract 125 (MC2015-54)
Negotiated Service Agreements

Docket No. CP2015-82

ORDER APPROVING AMENDMENT TWO TO
PRIORITY MAIL NEGOTIATED SERVICE AGREEMENT

(Issued April 30, 2018)

I. INTRODUCTION

The Postal Service seeks to amend a Priority Mail negotiated service agreement.¹ For the reasons discussed below, the Commission approves the Amendment.

In Order No. 2542, the Commission approved the Priority Mail Contract 125 negotiated service agreement (Existing Agreement).² On April 27, 2018, the Postal Service filed notice that it has agreed to the Amendment to the Existing Agreement.

¹ USPS Notice of Amendment to Priority Mail Contract 125, Filed Under Seal, April 27, 2018 (Notice). The amendment is an attachment to the Notice (Amendment).

² See Docket Nos. MC2015-54 and CP2015-82, Order Adding Priority Mail Contract 125 to the Competitive Product List, June 16, 2015 (Order No. 2542). The contract was later amended. See Order

The Postal Service intends for the Amendment to become effective two business days after the date that the Commission completes its review of the Notice. Notice at 1.

II. COMMISSION ANALYSIS

The Commission has reviewed the Notice and the accompanying materials filed under seal.

Cost considerations. The Commission reviews competitive product prices to ensure that each product covers its attributable costs, does not cause market dominant products to subsidize competitive products, and contributes to the Postal Service's institutional costs. 39 U.S.C. § 3633(a); 39 C.F.R. §§ 3015.5 and 3015.7. As long as the revenue generated by the product exceeds its attributable costs, the product is unlikely to reduce the contribution of competitive products as a whole or to adversely affect the ability of competitive products as a whole to contribute an appropriate share of institutional costs. In other words, if a product covers its attributable costs, it is likely to comply with 39 U.S.C. § 3633(a).

The Amendment revises the implementation of tiered pricing, adds a paragraph relating to record keeping, incorporates a marketplace requirements appendix, and revises the expiration date of the contract to June 16, 2021. Notice, Attachment A at 1-4.

The Amendment does not materially affect the underlying financial analysis of the Existing Agreement. Thus, the Commission finds that the Existing Agreement, as amended, comports with the provisions applicable to rates for competitive products in 39 U.S.C. § 3633(a) and 39 C.F.R. § 3015.7.

Other considerations. The Postal Service states that the Amendment shall become effective two business days after the date that the Commission completes its

review. Notice at 1. The Existing Agreement, as amended, is set to expire June 16, 2021. Notice, Attachment A at 4.

If the Existing Agreement, as amended, is terminated prior to the scheduled expiration date, the Postal Service shall promptly notify the Commission.

In conclusion, the Commission approves the Existing Agreement, as amended.

III. ORDERING PARAGRAPHS

It is ordered:

1. The Commission approves the Priority Mail Contract 125 negotiated service agreement, as amended.
2. The Postal Service shall notify the Commission if the Existing Agreement, as amended, terminates prior to the revised expiration date, June 16, 2021.

By the Commission.

Ruth Ann Abrams
Acting Secretary